The Constitution of the German Democratic Republic

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The Constitution of the German Democratic Republic presented here was approved by plebiscite on April 6, 1968 and promulgated by the Chairman of the Council of State of the German Democratic Republic on April 8, 1968.

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Imbued with the responsibility of showing the whole German nation the road to a future of peace and socialism,
in view of the historical fact that imperialism, under the leadership of the United States of America and in concert with circles of West German monopoly capital, split Germany in order to build up West Germany as a base of imperialism and of struggle against socialism, contrary to the vital interests of the nation,
the people of the German Democratic Republic, firmly based upon the achievements of the anti-fascist, democratic and socialist transformation of the social system,
unitedly carrying on in its working classes and sections the work and spirit of the Constitution of October 7, 1949,
and imbued by the will to continue unswervingly and in free decision on the road of peace, social justice, democracy, socialism and international friendship,
have given themselves this Socialist Constitution.

PART I

Foundations of the Socialist Social and State Order

CHAPTER 1 Political Foundations

ARTICLE 1

The German Democratic Republic is a socialist state of German nation. It is the political organization of the working people in town and countryside who are jointly implementing socialism under the leadership of the working class and its Marxist-Leninist party.

The capital of the German Democratic Republic is Berlin.

The state flag of the German Democratic Republic consists of the colours black-red-gold and bears in the centre on both sides the state coat of arms of the German Democratic Republic.

The state coat of arms of the German Democratic Republic consists of hammer and compasses surrounded by a wreath of ears of grain around the lower part of which a black-red-gold riband is wound.

ARTICLE 2

(1) All political power in the German Democratic Republic is exercised by the working people. Man is the centre of all efforts of socialist society and its state. The social system of socialism is constantly being perfected.

(2) The inviolable foundations of socialist society are provided by the firm alliance of the working class with the class of co-operative farmers, the intelligentsia, and other sections of the population, by the socialist ownership of the means of production and

the planning and management of social development in accordance with the most advanced scientific knowledge.

(3) The exploitation of man by man has been abolished for ever. What the hand of man has wrought belongs to the people. The socialist principle: "From each according to his abilities, to each according to his work" is being put into practice.

(4) The most important driving force of socialist society is the identity between social requirements and the political, material and cultural interests of the working people and their collective groups.

ARTICLE 3

(1) The alliance of all forces of the people finds its organized expression in the National Front of Democratic Germany.

(2) In the National Front of Democratic Germany the political parties and mass organizations pool all forces of the people for joint action for the development of socialist society. They thereby implement the mutual relationship of all citizens in socialist society on the principle that each bears responsibility for the whole.

ARTICLE 4

All power serves the welfare of the people. It ensures a peaceful life, protects socialist society and guarantees a systematic increase in living standards, the free development of man, the preservation of human dignity, and guarantees the rights stipulated in this Constitution.

ARTICLE 5

(1) Citizens of the German Democratic Republic exercise their political power through democratically elected popular representative bodies.

(2) The popular representative bodies are the foundation for the system of organs of the state. In their activities they base themselves upon the active participation of citizens in the preparation, implementation and control of their decisions.

(3) At no time and under no circumstances can organs other than those provided by the Constitution exercise state power.

ARTICLE 6

(1) The German Democratic Republic, faithful to the interests of the German people and the international obligations of all Germans, has eradicated German militarism and nazism on its territory, and pursues a foreign policy serving peace and socialism, international friendship and security.

(2) The German Democratic Republic fosters and develops all-round cooperation and friendship with the Union of Soviet Socialist Republics and the other socialist states on the basis of socialist internationalism.

(3) The German Democratic Republic supports the aspirations of the peoples for freedom and independence, and fosters relations of cooperation with all states on the basis of equality and mutual respect.

(4) The German Democratic Republic strives for a system of

collective security in Europe and a stable order of peace in the world. It supports general disarmament.

(5) Militarist and revanchist propaganda in all forms, warmongering and the manifestation of hatred against creeds, races and nations are punished as crimes.

ARTICLE 7

(1) The state organs ensure the inviolability of the state territory of the German Democratic Republic, inclusive of the air space and the territorial waters, and the protection and exploitation of the continental shelf.

(2) The German Democratic Republic organizes national defence and the protection of the socialist order and the peaceful life of its citizens. The National People's Army and the other national defence bodies protect the socialist achievements of the people against all external attacks. In the interests of the preservation of peace and the security of the socialist state, the National People's Army cultivates close comradeship-in-arms with the armies of the Soviet Union and other socialist states.

ARTICLE 8

(1) The generally accepted rules of international law serving peace and peaceful international cooperation are binding upon the state and every citizen. The German Democratic Republic will never undertake a war of conquest or employ its armed forces against the freedom of another people.

(2) The establishment and cultivation of normal relations and cooperation between the two German states on the basis of equality are national concerns of the German Democratic Republic. The German Democratic Republic and its citizens strive in addition to overcome the division of Germany imposed upon the German nation by imperialism, and support the step-by-step rapprochement of the two German states until the time of their unification on the basis of democracy and socialism.

CHAPTER 2 Economic Foundations, Science, Education and Culture

ARTICLE 9

(1) The national economy of the German Democratic Republic is based upon the socialist ownership of the means of production. It develops in accordance with the economic laws of socialism on the foundation of socialist relations of production. The socialist relations of production came into being as the result of the struggle against the economic system of monopoly capitalism, the aggressive and adventurist policy of which has hitherto brought only disaster to the German nation. By breaking the power of the monopolies and big landowners, and by abolishing the capitalist profit economy, the source of war policy and the exploitation of man by man was swept away.

Socialist ownership has stood the test.

(2) The national economy of the German Democratic Republic serves the strengthening of the socialist order, the constantly improving satisfaction of the material and cultural needs of the citizens, the development of their personality and their socialist relations in society.

(3) The German Democratic Republic bases itself on the principle of the planning and management of the national economy and all other social spheres. The national economy of the German Democratic Republic is socialist planned economy. The economic system of socialism combines central state planning and management of the basic issues of social development with the individual responsibility of the socialist commodity producer and the local organs of the state.

(4) The currency and financial system are prescribed by the socialist state. Laws govern the raising of taxes and imposts.

(5) Foreign economic relations, including foreign trade and foreign exchange economy, are the monopoly of the state.

ARTICLE 10

(1) Socialist property exists in the following forms:

as nationally-owned property of society as a whole,

as joint cooperative property of collectives of working people, and

as the property of social organizations of citizens.

(2) It is the duty of the socialist state and its citizens to protect and increase socialist property.

ARTICLE 11

(1) The personal property of citizens and the right of inheritance are guaranteed.

Personal property serves to satisfy the material and cultural needs of citizens.

(2) The rights of authors and inventors are protected by the socialist state.

(3) Property and the rights of authors and inventors shall not be used in a way contrary to the interests of society.

ARTICLE 12

(1) Mineral resources, mines, power stations, barrages and large bodies of water, the natural resources of the continental shelf, the larger industrial enterprises, banks and insurance companies, nationally-owned farms, traffic routes, the means of transport of the railways, ocean shipping and civil aviation, post and telecommunication installations, are nationally-owned property. Private ownership thereof is inadmissible.

(2) The socialist state ensures the use of nationally-owned property for the greatest good of society. This is served by socialist planned economy and socialist economic law. The utilization and management of nationally-owned property is in principle carried out by the nationally-owned enterprises and state institutions. The state can assign by contract the utilization and management of such property to cooperative or social organizations and associations. Such an assignment shall serve the public interest and the increase in social wealth.

ARTICLE 13

The implements, machines, equipment and buildings of agricultural, craftsmen's and other socialist cooperatives, together with the livestock of agricultural production cooperatives and the yield gained from the cooperative use of the soil and cooperative means of production, are cooperative property.

ARTICLE 14

(1) The utilization and operation of private economic undertakings and establishments for the purpose of gain must satisfy social needs, serve to increase the prosperity of the people and social wealth.

(2) The state promotes close cooperation between socialist and private economic undertakings and establishments. In conformity with the requirements of society, private enterprises may apply for state participation.

(3) Private economic associations for the establishment of economic power are not permitted.

ARTICLE 15

(1) The land of the German Democratic Republic is one of its most valuable natural resources. It must be protected and utilized rationally. Land used for agriculture and forestry may only be removed from such use with the agreement of the responsible organs of the state.

(2) In the interests of the welfare of citizens, the state and

society shall protect nature. The competent bodies shall ensure the purity of the water and the air, and protection for flora and fauna and the natural beauties of the homeland; in addition this is the affair of every citizen.

ARTICLE 16

Expropriations are permissible only for the public weal, on the basis of law, and against appropriate compensation. They may only be effected if the desired public purpose cannot be achieved in any other way.

ARTICLE 17

(1) Science and research as well as the application of their findings are essential foundations of socialist society, and are fostered by the state in every respect.

(2) The German Democratic Republic assures all citizens a high standard of education corresponding to the constantly increasing social requirements through the integrated socialist educational system. It enables citizens to shape socialist society and to participate creatively in the development of socialist democracy.

(3) The German Democratic Republic promotes science and education with the aim of protecting and enriching society and the life of the citizens, of mastering the scientific-technical revolution as well as of guaranteeing the constant progress of socialist society.

(4) Any misuse of science directed against peace, international understanding, against the life and the dignity of man, is prohibited.

ARTICLE 18

(1) Socialist national culture is one of the foundations of socialist society. The German Democratic Republic fosters and protects socialist culture, which serves peace, humanism and the development of the socialist community of man. It combats imperialist anti-culture, which serves psychological warfare and the degradation of man. Socialist society promotes the cultured life of the working people, cultivates the humanistic values of the national cultural heritage and of world culture, and develops socialist national culture as the concern of the whole people.

(2) The promotion of the arts, the artistic interests and abilities of all working people, and the dissemination of artistic works and creations, are the obligation of the state and all social forces. Artistic work is based on close contact between artists and the life of the people.

(3) Physical culture, sports and tourism, as elements of socialist culture, serve the all-round physical and intellectual development of citizens.

PART II

Citizens and Organizations in Socialist Society

CHAPTER 1 Basic Rights and Basic Duties of Citizens

ARTICLE 19

(1) The German Democratic Republic guarantees to all citizens the exercise of their rights and their participation in the guidance of social development. It guarantees socialist legality and legal security.

(2) Respect for and protection of the dignity and freedom of the personality are mandatory for all state organs, all social forces and each individual citizen.

(3) Free from exploitation, oppression and economic dependence, every citizen has equal rights and manifold opportunities to develop his abilities to the full extent and to unfold his talents in socialist society unhindered, in free decision, for the welfare of society and for his own benefit. Thus he puts into practice the freedom and dignity of his personality. The relations between citizens are governed by mutual respect and assistance, by the principles of socialist morality.

(4) The conditions for acquiring and losing the citizenship of the German Democratic Republic are stipulated by law.

ARTICLE 20

(1) Every citizen of the German Democratic Republic has the same rights and duties, irrespective of nationality, race, philosophy or religious confession, social origin or position. Freedom of con-

science and freedom of belief are guaranteed. All citizens are equal before the law.

(2) Men and women have equal rights and have the same legal status in all spheres of social, state and personal life. The promotion of women, particularly with regard to vocational qualification, is a task of society and the state.

(3) Young people are especially promoted in their social and vocational development. They have every opportunity for responsible participation in the development of the socialist order of society.

ARTICLE 21

(1) Every citizen of the German Democratic Republic is entitled to participate fully in shaping the political, economic, social and cultural life of the socialist community and the socialist state. The principle shall be applied "Participate in working, in planning, and in governing!"

(2) The right to co-determination and participation in shaping social life is guaranteed by the fact that citizens

democratically elect all organs of power, and participate in their activities and in planning, managing and shaping social life;

may demand account of their activities from the popular representative bodies, their deputies, and the heads of state bodies and economic bodies;

express their will and their demands with the authority of their social organizations;

can turn to the social, state and economic bodies and institutions with their concerns and proposals;

can express their will through plebiscites.

(3) The implementation of this right to co-determination and co-shaping is at the same time a high moral obligation for each citizen.

The exercise of social or state functions is recognized and supported by society and the state.

ARTICLE 22

(1) Every citizen of the German Democratic Republic who is 18 years of age on election day has the right to vote.

(2) Every citizen can be elected to local popular representative bodies if he has reached the age of 18 on election day. He can be elected to the People's Chamber if he has reached the age of 21 on election day.

(3) The management of the elections by democratically formed electoral commissions, popular discussion on basic questions of policy, and the nomination and examination of candidates by the voters, are inalienable socialist electoral principles.

ARTICLE 23

(1) The defence of peace and the socialist homeland and its achievements is the right and the honourable obligation of citizens of the German Democratic Republic. Every citizen has the obligation to serve and to make a contribution to the defence of the German Democratic Republic in accordance with the laws.

(2) No citizen shall participate in warlike actions which serve the oppression of a people, or the preparation of such actions.

(3) The German Democratic Republic can grant asylum to citizens of other states or to stateless persons if they are persecuted for political, scientific or cultural activity in defence of peace, democracy and the interests of the working people, or because of their participation in the social and national liberation struggle.

ARTICLE 24

(1) Every citizen of the German Democratic Republic has the right to work. He has the right to employment and its free selection in accordance with social requirements and personal qualifications. He has the right to pay according to the quality and quantity of the work. Men and women, adults and young people have the right to equal pay for equal work output.

(2) Socially useful activity is an honourable duty of every citizen able to work. The right to work and the duty to work form a unity.

(3) The right to work is guaranteed:

by the socialist ownership of the means of production,

by the socialist planning and management of the social process of reproduction,

by the steady and planned growth of the socialist productive forces and labour productivity,

by the consistent implementation of the scientific-technical revolution,

by the constant education and further training of citizens, and

by the uniform socialist labour law.

ARTICLE 25

(1) Every citizen of the German Democratic Republic has an equal right to education. Educational facilities are open to all. The integrated socialist educational system guarantees every citizen a continuous socialist education, training, and higher training.

(2) The German Democratic Republic ensures the march forward of the people to a socialist community of universally educated and harmoniously developed people imbued with the spirit of socialist patriotism and internationalism, and possessing an advanced general and specialized education.

(3) All citizens have the right to participate in cultural life. Under the conditions of the scientific-technical revolution and increasing intellectual demands this becomes of growing significance. The state and society encourage the participation of citizens in cultural life, physical culture and sport, for the complete expression of the socialist personality and for the growing fulfilment of cultural interests and needs.

(4) In the German Democratic Republic general ten-year secondary schooling is compulsory; this is provided by the ten-year general polytechnical secondary school. In certain cases the secondary schooling may be completed within the framework of vocational training or the further education of the working people. All young people have the right and the duty to learn a vocation.

(5) Special schools and training establishments exist for mentally and physically handicapped children and adults.

(6) The solution of these tasks is ensured by the state and all social forces in joint educational work.

ARTICLE 26

(1) The state ensures the possibility of transference to the next higher stage of education up to the highest educational institutions, the universities and colleges; this is done in accordance with the performance principle, social requirements, and taking into consideration the social structure of the population.

(2) There are no tuition fees. Training allowances and free study materials are granted according to social aspects.

(3) Full-time students at the universities, colleges and technical schools are exempted from tuition fees.

Grants and allowances are given according to social aspects and performance.

ARTICLE 27

(1) Every citizen of the German Democratic Republic has the right, in accordance with the spirit and aims of this Constitution, to express his opinion freely and publicly. This right is not limited by any service or employment relationship. Nobody may be placed at a disadvantage for using this right.

(2) Freedom of the press, radio and television are guaranteed.

ARTICLE 28

(1) All citizens have the right to assemble peacefully within the framework of the principles and aims of the Constitution.

(2) The use of material prerequisites for the unhindered exercise

of this right, of assembly buildings, streets and places of demonstration, printing works and means of communication, is guaranteed.

ARTICLE 29

Citizens of the German Democratic Republic have the right of association, in order to implement their interests in agreement with the principles and aims of this Constitution by joint action in political parties, social organizations, associations and collectives.

ARTICLE 30

(1) The person and liberty of every citizen of the German Democratic Republic are inviolable.

(2) Limitations are permissible only in connection with punishable acts or curative treatment and must be legally based. In this respect the rights of such citizens may be limited only in so far as is legally permissible and unavoidable.

(3) Every citizen has the right to the assistance of state and social organs for the protection of his liberty and the inviolability of his person.

ARTICLE 31

(1) Postal and telecommunication secrecy is inviolable.

(2) It may be limited only on a legal basis if it is necessary for the security of the socialist state or for criminal prosecution.

ARTICLE 32

Every citizen of the German Democratic Republic has the right to move freely within the state territory of the German Democratic Republic within the framework of the laws.

ARTICLE 33

(1) Every citizen of the German Democratic Republic has the right to legal protection by the organs of the German Democratic Republic when abroad.

(2) No citizen of the German Democratic Republic may be extradited to a foreign power.

ARTICLE 34

(1) Every citizen of the German Democratic Republic has the right to leisure time and recreation.

(2) The right to leisure time and recreation is guaranteed
by the legal limitation of the daily and weekly working time,
by a full-paid annual holiday and by the planned extension of the network of nationally-owned and other social recreation and holiday centres.

ARTICLE 35

(1) Every citizen of the German Democratic Republic has the right to the protection of his health and working capacity.

(2) This right is guaranteed by the planned improvement of

working and living conditions, public health, a comprehensive social policy, the promotion of physical culture, school and public sports activities and tourism.

(3) Material security, medical aid, medicaments and other medical benefits are granted free of charge in case of illness and accidents on the basis of a social insurance system.

ARTICLE 36

(1) Every citizen of the German Democratic Republic has the right to social care in case of old age and invalidity.

(2) This right is guaranteed by an increasing material, social and cultural care and the care of elderly and disabled citizens.

ARTICLE 37

(1) Every citizen of the German Democratic Republic has the right to dwelling space for himself and his family in accordance with economic possibilities and local conditions. The state is obligated to implement this right by promoting the construction of housing, the maintenance of existing housing, and public control of the just distribution of dwelling space.

(2) There is legal protection against eviction.

(3) Every citizen has the right to the inviolability of his home.

ARTICLE 38

(1) Marriage, family and motherhood are under the special protection of the state.

Every citizen of the German Democratic Republic has the right to respect for, protection, and promotion of his marriage and family.

(2) This right is guaranteed by the equality of man and wife in married life and family, by social and state assistance to citizens in promoting and encouraging their marriage and family. Large families, mothers and fathers living alone receive the care and support of the socialist state through special measures.

(3) Mother and child enjoy the special protection of the socialist state. Maternity leave, special medical care, material and financial support during childbirth and children's allowances are granted.

(4) It is the right and the supreme duty of parents to educate their children to become healthy, happy, competent, universally educated and patriotic citizens. Parents have a right to a close and trustful cooperation with the social and state educational institutions.

ARTICLE 39

(1) Every citizen of the German Democratic Republic has the right to profess a religious creed, and to carry out religious activities.

(2) The churches and other religious communities conduct their affairs and carry out their activities in conformity with the Constitution and the legal regulations of the German Democratic Republic. Details can be settled by agreement.

ARTICLE 40

Citizens of the German Democratic Republic of Sorb nationality have the right to cultivate their mother tongue and culture. The exercise of this right is encouraged by the state.

CHAPTER 2 Enterprises, Towns and Local Communities in Socialist Society

ARTICLE 41

The socialist enterprises, towns, local communities and associations of local communities are, within the framework of central state planning and management, self-responsible communities in which citizens work and shape their social relations. They safeguard the basic rights of citizens, the effective linking of individual and social interests, and a multifold social-political and cultural-intellectual life. They are protected by the Constitution. Interference with their rights is permissible only on the basis of law.

ARTICLE 42

(1) In the enterprises, the activities of which provide the basis for the creation and increase of social wealth, the working people cooperate directly in management with the assistance of their elected bodies. Details are regulated by law or statutes.

(2) In order to increase social productivity the state authorities, enterprises and cooperatives may form associations and companies as well as other forms of cooperative collaboration.

ARTICLE 43

(1) The towns, local communities and associations of local communities in the German Democratic Republic mould the conditions necessary for the constantly better satisfaction of the material, social, cultural and other joint requirements of citizens. To achieve this they work together with the enterprises and cooperatives of their area. All citizens participate by the exercise of their political rights.

(2) The popular representative bodies elected by citizens are responsible for the implementation of the social functions of towns and local communities. They decide their affairs on their own responsibility on the basis of law. They are responsible for a rational utilization of all public assets at their disposal.

CHAPTER 3 The Trade Unions and Their Rights

ARTICLE 44

(1) The free trade unions, organized in the Confederation of Free German Trade Unions, are the all-embracing class organization of the working class. They safeguard the interests of the work-

ers, office workers and intelligentsia through comprehensive co-determination in the state, the economy and the social sphere.

(2) The trade unions are independent. Nobody may limit or obstruct their activities.

(3) Through their organizations and organs, their representatives in the elected organs of state power and their proposals to the state and economic bodies, the trade unions play a determining role

in shaping socialist society,
in the planning and management of the national economy,
in the implementation of the scientific-technical revolution,
in the development of working and living conditions, health protection and labour safety, cultural working environment, and cultural and sports activities of the working people.

The trade unions cooperate in the enterprises and institutions in drafting the plans, and are represented on the advisory councils of the associations of nationally-owned enterprises, and on the production committees of the enterprises and integrated works. They organize the permanent production councils.

ARTICLE 45

(1) The trade unions have the right to conclude agreements with government authorities, enterprise managements and other leading economic bodies on all questions concerning the working and living conditions of the working people.

(2) The trade unions play an active part in shaping the socialist rule of law. They have the right to initiate legislation, and to exer-

cise social control in safeguarding the legally-guaranteed rights of the working people.

(3) The trade unions administer the social insurance system for workers and office workers on the basis of the self-administration of the insured. They participate in the comprehensive material and financial aid for citizens in case of illness, accidents at work, invalidity and old age.

(4) All state organs and economic managers must ensure close and trusting cooperation with the trade unions.

CHAPTER 4 Socialist Production Cooperatives and Their Rights

ARTICLE 46

(1) The agricultural production cooperatives are voluntary associations of farmers for the purpose of joint socialist production, for the ever-better satisfaction of their material and cultural needs, and for supplies to the population and the national economy. They are themselves responsible, on the basis of the law, for shaping their working and living conditions.

(2) Through their organizations and their representatives in the state organs the agricultural production cooperatives take an active part in the state planning and direction of social development.

(3) The state helps the agricultural production cooperatives to develop socialist large-scale production on the basis of advanced science and technology.

(4) The same principles apply to the socialist production co-operatives of fishermen, gardeners and craftsmen.

PART III

Structure and System of State Management

ARTICLE 47

(1) The structure and activities of the state organs are determined by the aims and tasks of state power, as stipulated in this Constitution.

(2) The sovereignty of the working people, which is implemented on the basis of democratic centralism, is the fundamental principle of the state structure.

CHAPTER 1 The People's Chamber

ARTICLE 48

(1) The People's Chamber is the supreme organ of state power in the German Democratic Republic. It decides in its plenary sessions the basic questions of state policy.

(2) The People's Chamber is the sole constitutional and legislative organ in the German Democratic Republic. No one can limit its rights.

By its activities the People's Chamber implements the principle of the unity of decision and enforcement.

ARTICLE 49

(1) The People's Chamber determines by means of laws and decisions the aims of the development of the German Democratic Republic in a final manner binding on all.

(2) The People's Chamber determines the main rules for the co-operation of citizens, organizations and state organs as well as their tasks in implementing the state plans for social development.

(3) The People's Chamber guarantees the enforcement of its laws and decisions and lays down the principles to be adhered to by the Council of State, the Council of Ministers, the National Defence Council, the Supreme Court and the Procurator General.

ARTICLE 50

The People's Chamber elects the Chairman and members of the Council of State, the Chairman and members of the Council of Ministers, the Chairman of the National Defence Council, the President and judges of the Supreme Court and the Procurator General. They can be recalled at any time by the People's Chamber.

ARTICLE 51

The People's Chamber approves state treaties of the German Democratic Republic, and other international legal agreements, insofar as they alter laws passed by the People's Chamber. It decides on the termination of these treaties.

ARTICLE 52

The People's Chamber decides on the state of defence of the German Democratic Republic. In case of urgency the Council of State is authorized to decide on a state of defence. The Chairman of the Council of State proclaims the state of defence.

ARTICLE 53

The People's Chamber can decide to hold plebiscites.

ARTICLE 54

The People's Chamber is composed of 500 deputies who are elected by the people for four years in free, general, equal and secret ballot.

ARTICLE 55

(1) The People's Chamber elects its Presidium for the electoral term.

The Presidium is composed of the President of the People's Chamber, a vice-president and further members.

(2) The Presidium conducts the plenary sessions. Further tasks are regulated by the Standing Orders of the People's Chamber.

ARTICLE 56

(1) The deputies of the People's Chamber fulfil their responsible tasks in the interest and for the benefit of the whole population.

(2) The deputies encourage the cooperation of citizens in the drafting and enforcement of laws in cooperation with the committees of the National Front of Democratic Germany, the social organizations and the state organs.

(3) The deputies maintain close contact with their electors. They

are to heed their proposals, suggestions and criticisms and to ensure conscientious attention to them.

(4) The deputies explain the policy of the socialist state to the citizens.

ARTICLE 57

(1) The deputies of the People's Chamber are obligated to hold regular consultation hours and discussions and to report to their electors on their activities.

(2) A deputy who grossly infringes his duties can be recalled by his electors in accordance with the legally-established procedure.

ARTICLE 58

The deputies of the People's Chamber have the right to participate in the sessions of the local popular representative bodies in an advisory capacity.

ARTICLE 59

Every deputy has the right to put questions to the Council of Ministers and each of its members.

ARTICLE 60

(1) All state and economic organs must assist the deputies in fulfilling their tasks.

(2) The deputies of the People's Chamber enjoy the right of immunity. Limitation of their personal liberty, house searches, confiscations or prosecution are permissible only with the agreement of the People's Chamber, or between its session, the Council of State. The decision of the Council of State requires confirmation by the People's Chamber.

The deputies of the People's Chamber are entitled to refuse to testify concerning persons who have confided facts to them in the course of their duties as deputies, or to whom they have confided facts in the course of their duties as deputies, and about these facts themselves.

(3) Deputies may be exposed to no professional or other personal disadvantages as a result of their activities as deputies. They are released from their ordinary occupation, insofar as this is necessary for the fulfilment of their duties as deputies. They continue to receive their salaries or wages.

ARTICLE 61

(1) The People's Chamber forms committees from among its members which closely cooperate with the voters in discussing bills and exercising a continuous check on the enforcement of laws.

(2) The committees may demand the presence of the competent ministers and heads of other state organs in their deliberations in order to obtain information. All state organs must provide the committees with the necessary information.

(3) The committees have the right to call upon experts for permanent or temporary cooperation.

ARTICLE 62

(1) The People's Chamber is convened not later than the 30th day after election. Its first session is convened by the Council of State.

(2) The sessions of the People's Chamber are public. At the request of at least two-thirds of the deputies present the public may be excluded.

ARTICLE 63

(1) The People's Chamber has a quorum if more than half of the deputies are present.

(2) The People's Chamber reaches its decisions by a majority vote. Amendments to the Constitution require the votes of at least two-thirds of the elected deputies.

ARTICLE 64

(1) The People's Chamber can be dissolved before the expiration of its electoral term only on its own decision.

(2) Such a decision requires the affirmative vote of at least two-thirds of the elected deputies.

(3) New elections must be held at the latest on the 60th day after the expiration of the electoral term or the 45th day after the dissolution of the People's Chamber.

ARTICLE 65

(1) Bills may be presented by the deputies of the political parties or mass organizations represented in the People's Chamber, the committees of the People's Chamber, the Council of State, the Council of Ministers and the Confederation of Free German Trade Unions.

(2) In preparing the sessions of the People's Chamber the Council of State deals with bills and examines their conformity with the Constitution.

(3) The committees of the People's Chamber discuss the bills and submit their comments to the plenary session of the People's Chamber. Their activities are supported by the Council of State.

(4) Drafts of basic laws are, prior to their passage, submitted to the people for discussion. The results of such popular discussions are to be evaluated in the final drafting.

(5) Laws passed by the People's Chamber are promulgated in the Law Gazette by the Chairman of the Council of State within one month.

(6) Laws come into force on the 14th day after their promulgation if not otherwise specified.

CHAPTER 2 The Council of State

ARTICLE 66

(1) As the organ of the People's Chamber operating between sessions of the People's Chamber, the Council of State fulfils all fundamental tasks resulting from the laws and decisions of the People's Chamber. It is responsible to the People's Chamber for its activities.

(2) The Chairman of the Council of State represents the German Democratic Republic in international law. The Council of State decides on the conclusion of treaties by the German Democratic Republic. They are ratified by the Chairman of the Council of State. The Council of State terminates treaties.

ARTICLE 67

(1) The Council of State is composed of the Chairman, the Vice-Chairmen, the members and the Secretary.

(2) The Chairman, the Vice-Chairmen, the members and the Secretary of the Council of State are elected by the People's Chamber at its first session after the new election for a term of four years.

(3) After the electoral term of the People's Chamber has expired the Council of State continues its activities until a new Council of State has been elected by the People's Chamber.

ARTICLE 68

When entering upon their duties the Chairman, the Vice-Chairmen, members and Secretary of the Council of State take the following oath of office to the People's Chamber: "I swear to devote my efforts to the welfare of the people of the German Democratic Republic, to safeguard its Constitution and laws, to fulfil my duties conscientiously and to do justice to all."

ARTICLE 69

The Chairman directs the work of the Council of State.

ARTICLE 70

(1) The Council of State deals with bills to be submitted to the People's Chamber and submits them for discussion by the committees of the People's Chamber.

(2) The Council of State convenes the sessions of the People's Chamber either on a decision of the People's Chamber or on its own initiative.

(3) The Council of State must convene the People's Chamber if at least one-third of its members demand it.

ARTICLE 71

(1) The Council of State deals with the basic tasks arising from the laws and decisions of the People's Chamber, by means of decrees submitted to the People's Chamber for confirmation.

(2) Decrees and decisions of the Council of State have the force of law.

(3) The Council of State's interpretation of the Constitution and laws is legally binding, if this has not been done by the People's Chamber itself.

ARTICLE 72

(1) The Council of State issues the writ for elections to the People's Chamber and the other popular representative bodies.

ARTICLE 73

(1) The Council of State takes fundamental decisions on matters relating to the defence and security of the country and organizes national defence with the help of the National Defence Council.

(2) The Council of State appoints the members of the National Defence Council. The National Defence Council is responsible to the People's Chamber and the Council of State for its activities.

ARTICLE 74

The Council of State exercises, on behalf of the People's Chamber, a continuous control over the constitutionality and legality of the activities of the Supreme Court and the Procurator General.

ARTICLE 75

(1) The Chairman of the Council of State appoints and recalls the plenipotentiaries of the German Democratic Republic in foreign states; he accepts the credentials and documents of recall from diplomatic representatives of foreign states who are accredited to him.

(2) The Council of State determines military ranks, diplomatic ranks and other special titles.

ARTICLE 76

The Council of State institutes state orders, distinctions and honorary titles which are awarded by its Chairman.

ARTICLE 77

The Council of State exercises the right of amnesty and pardon.

CHAPTER 3 The Council of Ministers

ARTICLE 78

(1) The Council of Ministers organizes, on behalf of the People's Chamber, the execution of the political, economic, cultural and

social tasks of the socialist state and the defence tasks assigned to it. It functions on a collective basis.

(2) The Council of Ministers works out scientifically-based prognoses, organizes the economic system of socialism and directs the planned development of the national economy.

ARTICLE 79

(1) The Council of Ministers works on the basis of the laws and decisions of the People's Chamber as well as the decrees and decisions of the Council of State. It issues regulations and decisions within the framework of the laws and decrees.

(2) The Council of Ministers directs, coordinates and controls the activities of the ministries, the other central state organs and the district councils in accordance with scientific organizational standards.

(3) The Council of Ministers decides upon the conclusion and termination of agreements in international law concluded in its name.

ARTICLE 80

(1) The Chairman of the Council of Ministers is proposed to the People's Chamber by the Chairman of the Council of State and is charged by it with forming the Council of Ministers.

(2) The Chairman and the members of the Council of Ministers

are elected by the People's Chamber after new elections for a term of four years.

(3) The Chairman and members of the Council of Ministers are sworn in on the Constitution by the Chairman of the Council of State.

(4) The Council of Ministers is composed of the Chairman, the Vice-Chairmen and the Ministers. It is headed by the Chairman of the Council of Ministers.

(5) The Council of Ministers forms the Presidium of the Council of Ministers from its ranks. It is headed by the Chairman of the Council of Ministers.

(6) Each minister is responsible for the particular field assigned him.

All members of the Council of Ministers are collectively accountable for its activities.

(7) The Council of Ministers is responsible and accountable to the People's Chamber.

(8) After the electoral term of the People's Chamber has expired the Council of Ministers continues its work until the new Council of Ministers has been elected by the People's Chamber.

CHAPTER 4 Local Popular Representative Bodies and Their Organs

ARTICLE 81

(1) The local popular representative bodies are the organs of state power in the districts, regions, towns, municipal boroughs, local communities and associations of local communities, elected by citizens having the right to vote.

(2) The local popular representative bodies decide, on the basis of law and on their own responsibility, on all matters which concern their area and its citizens. They organize popular cooperation in the shaping of political, economic, cultural and social life, and cooperate with the social organizations of the working people.

(3) The local popular representative bodies aim to increase and protect socialist property, to improve constantly working and living conditions and promote the social and cultural life of the people and their collectives, raise the level of civic and legal consciousness and preserve law and order, consolidate socialist legality and safeguard the rights of the citizens.

ARTICLE 82

(1) The local popular representative bodies take decisions which are binding upon their organs and institutions, and for the popular representative bodies, communities and citizens of their area. These decisions shall be published.

(2) The local popular representative bodies have their own income over which they dispose.

ARTICLE 83

(1) To meet its responsibilities every local popular representative body elects its council and committees. The members of the council should if possible come from the ranks of the deputies. Persons who are not deputies may also be appointed members of committees.

(2) The council ensures the development of the activities of the local popular representative body and organizes the management of its social development within its field of responsibility. It is responsible to the popular representative body for all its actions and is accountable to the superordinate council. The council works collectively.

(3) The committees organize the expert cooperation of the citizens in the preparations and implementation of the decisions made by the popular representative body. They supervise the implementation of the laws, decrees, regulations and decisions of the representative body by the council and its specialized organs.

ARTICLE 84

The local popular representative bodies may form associations for a joint implementation of tasks.

ARTICLE 85

The responsibilities and rights of the local popular representative bodies, their deputies and committees, and their councils in the districts, regions, towns, municipal boroughs, local communities and associations of local communities are defined by law.

PART IV

Socialist Legality and the Administration of Justice

ARTICLE 86

Socialist society, the political power of the working people, and their state and legal system are the basic guarantees for the observance and enforcement of the Constitution in the spirit of justice, equality, fraternity and humanity.

ARTICLE 87

Society and state guarantee the rule of law by involving the citizens and their organizations in the administration of justice and the social and state control of the observance of socialist law.

ARTICLE 88

The responsibility of all leading employees in the state and economy towards citizens is guaranteed by a system of reporting back.

ARTICLE 89

(1) Laws and other generally-binding statutory regulations of the German Democratic Republic are published in the Law Gazette as well as in other ways.

(2) Statutory regulations issued by the local popular representative bodies and their organs are published in a suitable form.

(3) Statutory regulations may not contradict the Constitution. The Council of State decides in case of doubt on the constitutionality of the legal regulations of the Council of Ministers and other state organs.

ARTICLE 90

(1) The administration of justice serves to implement socialist legality, protect and develop the German Democratic Republic and its state and social order. It protects freedom, peaceful life and the rights and dignity of man.

(2) It is the joint concern of socialist society, its state and all citizens to combat and prevent crime and other violations of law.

(3) Citizens' participation in the administration of justice is guaranteed. Details are laid down by law.

ARTICLE 91

The generally accepted norms of international law relating to the punishment of crimes against peace and humanity and of war crimes are directly valid law. Crimes of this kind do not fall under the statute of limitations.

ARTICLE 92

Jurisdiction in the German Democratic Republic is exercised by the Supreme Court, the District Courts, the Regional Courts and the social courts within the framework of the tasks assigned them by law. In military matters jurisdiction is exercised by the Supreme Court, military tribunals and military courts.

ARTICLE 93

(1) The Supreme Court is the highest organ of jurisdiction.

(2) The Supreme Court directs the jurisdiction of the courts on the basis of the Constitution, the laws and other statutory regulations of the German Democratic Republic. It ensures a uniform application of the law by all courts.

(3) The Supreme Court is responsible to the People's Chamber and, between its sessions, to the Council of State.

ARTICLE 94

(1) Only persons loyally devoted to the people and their socialist state, and endowed with a high measure of knowledge and experience, human maturity and character may be judges.

(2) The democratic election of all judges, lay judges and members of social courts guarantees that justice will be administered by men and women from all classes and sections of the people.

ARTICLE 95

All judges, lay judges and members of social courts are elected either by popular representative bodies or directly by the citizens. They account to their electors on their work. They may be recalled by their electors if they violate the Constitution or the laws or commit a serious breach of their duties.

ARTICLE 96

(1) The judges, lay judges and members of social courts are independent in their administration of justice. They are bound

only by the Constitution, laws and statutory regulations of the German Democratic Republic.

(2) Lay judges exercise their function as judges to the full extent and have the same voting rights as professional judges.

ARTICLE 97

With a view to safeguarding the socialist state and social order and the rights of citizens the public procurators' office supervises the strict adherence to socialist legality on the basis of laws and other statutory regulations. It protects citizens from violations of the law. The public procurators' office directs the struggle against penal offences and ensures that persons who have committed crimes or other legal offences are called to account before the court.

ARTICLE 98

(1) The public procurators' office is directed by the Procurator General.

(2) The public procurators of the districts and regions as well as the military procurators are subordinate to the Procurator General.

(3) The procurators are appointed and recalled by the Procurator General and are responsible to him and bound by his instructions.

(4) The Procurator General is responsible to the People's Chamber and, between its sessions, to the Council of State.

ARTICLE 99

(1) Legal responsibility is determined by the laws of the German Democratic Republic.

(2) An act is punishable only if it was defined in law at the time of its commission, if the offender has acted in a culpable way, and if his guilt is proved beyond doubt. Penal laws have no retroactive effect.

(3) Every prosecution must be in accordance with the penal laws.

(4) The rights of citizens may be limited in connection with a criminal proceeding only to such an extent as is legally permissible and indispensable.

ARTICLE 100

(1) Detention on remand may only be authorized by a judge. Persons under arrest must be brought before a judge not later than one day after their arrest.

(2) Within the framework of their responsibility the judge or the public procurator have to examine at any time whether the conditions for detention on remand still prevail.

(3) The public procurator must inform the next of kin of the arrested person within 24 hours after the first judicial interrogation. Exceptions to this rule are permissible only if by such notification the purpose of the investigation is jeopardized. In this case notification takes place after the reasons for the jeopardy have ceased to exist.

ARTICLE 101

(1) No one shall be deprived of his lawful judge.

(2) Special courts are inadmissible.

ARTICLE 102

(1) Every citizen has the right to be heard in court.

(2) The right to defence is guaranteed throughout the whole criminal procedure.

ARTICLE 103

(1) Every citizen may submit petitions (proposals, suggestions, applications or grievances) to the popular elected bodies and their deputies, or to state and economic organs. This right also applies to social organizations and collectives of citizens. They may be exposed to no disadvantage as a result of exercising this right.

(2) The organs responsible for a decision must deal with such proposals, suggestions or grievances of citizens or collectives within the legally-prescribed time and notify the applicants of the results.

ARTICLE 104

(1) The Council of Ministers is competent for complaints against decisions made by central organs of the Council of Ministers.

(2) The Council of State is competent for complaints against ad-

ministrative decisions of the Council of Ministers, the Supreme Court, or the Procurator General.

ARTICLE 105

(1) In the case of complaints against decisions of local state organs, competence lies with the head of the organ which made the challenged decision. If the head of the organ does not change the decision, the complainant is entitled to appeal to the grievance commission of the competent popular representative body.

(2) The tasks and rights of the grievance commissions are regulated by decree.

ARTICLE 106

(1) In the case of damages inflicted on a citizen or his personal property as the result of unlawful actions of employees of state organs, liability lies with the state organ whose employee caused the damage.

(2) The conditions and procedure of state liability are regulated by law.

PART V

Concluding Provisions

ARTICLE 107

The Constitution is direct and binding law.

ARTICLE 108

The Constitution may be amended only by the People's Chamber of the German Democratic Republic through a law which expressly amends or supplements the text of the Constitution.

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